S.B.Criminal Revision Petition No.473/2007

Prabjot Singh @ Honey
v.
State of Rajasthan

Date of Order :: 23rd October, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. Farzand Ali for Mr.V.K.Mathur, for the petitioner.
Mr. Vishnu Kachhawaha, Public Prosecutor.

....

This revision petition under Section 397 read with 401 Cr.P.C. is to challenge the order dated 184..2007 and 8.5.2007 passed by learned Additional Sessions Judge No.1, Chittorgarh framing the charges for the offences under Sections 341, 307 and 324 IPC against the petitioner.

The contention of counsel for the petitioner is that complainant Anil Kumar did not receive any injury that may be termed as dangerous to life and also that the Radiologist after X-Ray examination did not find any bone injury but the Medical Jurist in his subsequent note has stated that the injury No.3 was dangerous to life on basis of opinion given by the Radiologist.

I have gone through the entire record that was called for by the Court vide order dated 29.5.2007.

From simple reading of the first information report it reveals that the complainant in quite unambiguous terms stated that he was attacked by accused persons and was also stabbed on 4.9.2006. I am satisfied from other evidence available on record that prima facie framing of charge under Section 307 IPC is not absolutely ill-founded. At the stage of framing of charges the Court is not required to make a threadbare investigation but is required to prima facie satisfied that some ingredient of the charge sought to be framed exists.

In the instant matter the court subordinate on basis of evidence available rightly prima facie satisfied itself to frame a charge under Section 307 IPC, thus, no interference under revisional jurisdiction of this Court is warranted.

The revision petition is accordingly dismissed. The record of the trial court be remitted forthwith.

(GOVIND MATHUR),J.

Kkm/ps.